

26 April 2013

The Chief Executive
Queenstown Lakes District Council
Private Bag 50072
Queenstown

Attention: Mr Phillip Pannett

Ref:\S\2368\L160413.doc

Dear Phillip

Re: Request for Private Plan Change: 190/192 Wanaka-Luggate Highway

On behalf of Marie Eleanor Skeggs, we request a Private Plan Change in respect to the property at 190/192 Wanaka-Luggate Highway.

This request is made pursuant to Clause 21 of Part 2 of Schedule 1 of The Resource Management Act 1991.

The purpose of the Private Plan Change is twofold as follows:

- It is to provide certainty that the site at 190/192 Wanaka-Luggate Highway (the site) is suitable for development of visitor accommodation as that term is defined in the operative Queenstown Lakes District Plan.

and

- It is to identify and provide for the specific control of various environmental effects associated with visitor accommodation on the site.

The reason for the Private Plan Change is simply that the development of the site has been excluded from the series of studies and plan changes undertaken in respect to the surrounding area which has left the development of the site in limbo. This situation has frustrated negotiations about the sites potential for development.

The detail of the requested Private Plan Change is set out in the attached documentation. It is self explanatory in that it requires only a minor addition/amendment to the relevant policies and implementation methods, a new rule in the Controlled Activities in the Rural General zone including seven specific matters that Council has reserved control over, and the exclusion of earthworks from Rule 5.3.5.1 to avoid duplication.

We also enclose a Section 32 Report, and a possible form of development that might result from the implementation of the Private Plan Change prepared by Designgroup Stapleton Elliott Architects.

In respect to the environmental effects, we anticipate that visitor accommodation on the site that is subject to Council's control over the seven specific matters will have no more

than a minor effect. Accordingly, we conclude that there is no requirement to prepare the specific assessment of environmental effects as specified in Clause 22(2) of Schedule 1.

It is our understanding that Council has 20 working days within which to require further information that is necessary to enable Council to better understand the implications of this request. However, given the simplicity of this request, we anticipate that further information may not be necessary.

Following the period for requiring further and additional information, Council has 30 working days to either adopt the request as its own, or to accept the request and proceed to notify the request.

We have considered the five grounds set out in Clause 25(4) for rejecting the request and conclude that none are applicable. The matter of managing the use of the site within the context of the entire triangle formed by the Wanaka/Luggate Highway, Riverbank Road and Ballantyne Road, has been raised as part of submissions on the earlier plan changes. This Private Plan Change enable integration with the adjoining management with no identified adverse environmental effects.

Please advise your required deposit for the above and we will arrange for payment.

We await your response in due course.

Yours faithfully

Don Anderson
T/A Anderson & Co
for
Marie Eleanor Skeggs

Request for a Private Plan Change (PPC1)

Resource Management Act- Part 2 of the First Schedule

TO THE QUEENSTOWN LAKES DISTRICT COUNCIL:

Marie Eleanor Skeggs

Requests a Private Plan Change as described below:

CORRESPONDENCE DETAILS

Postal Address for Correspondence:

Marie Eleanor Skeggs
C/- Anderson & Co
P O Box 5933
Dunedin 9058

Phone number:

Work: 03 479 0005

Email: don@pprm.co.nz

INVOICING DETAILS

Postal Address for invoicing:

Marie Eleanor Skeggs
272 Highgate
Dunedin 9010

Phone number:

Work: 03 425 0990

Email: cskeggs@skeggs.co.nz

REQUEST DETAILS

Title of the Plan Change:

190/192 Wanaka-Luggate Highway

Name/Address of the Owner/Occupier (if different from the above) of any land to which the request relates:

As above

The location in respect of which this application relates (if site-specific). Describe the location, as it is commonly known, in a manner which will allow ready identification. E.G. Street address and number, name of locality, road, RD number, rapid number, or grid reference, location map, name of any relevant stream, river or other water body to which the application may relate, proximity to any well-known landmark):

The land is located at 190/192 Wanaka-Luggate Highway, immediately adjacent to Puzzling World.

Please refer to the attached report for additional information.

Contact Details

Gorge Road, Queenstown
Private Bag 50072, Queenstown

Phone:

03 441 0499

Fax:

03 442 7334

Email:

service@qldc.govt.nz

Legal description of the property is (if site-specific): (from the rates notice – lot, DP, section, block, and/or valuation numbers and survey district):

The legal description of the property at 190/192 Wanaka-Luggate Highway is Lot 1 DP 303207 and held in Certificate of Title OT 12730.

Zone(s) and/or Section(s) of the District Plan affected by the Plan Change (including consequential amendments):

The Plan Change Request involves an amendment to Planning Map 18 and consequential amendments to Clause 5.2 and Rule 5.3 as set out in detail below.

REQUEST DETAILS (CONT'D)

Timing issues

Does it affect parts of the Plan that have been operative for less than 2 years? **No**

Does it affect parts of the Plan that have been dealt with by the Council or Court within the last 2 years? **No**

The type of Plan Change

The type of Plan Change sought is	
Site specific	Yes
The creation of an entirely new zone	No
Re-zoning	No
Amendments to an existing zone	Yes
District wide amendments	No

A brief description of the proposal, its purpose, and the reasons for the requested plan change:

The Plan Change Request is to enable the potential of 190/192 Wanaka-Luggate Highway to be better managed in the context of what is happening in the area.

Please refer to the attached report for additional information.

ATTACHED ITEMS

I attach:

1. The Plan Change
2. CFR OT 12730
3. An evaluation under Section 32 of RMA
4. Detail of surrounding sites, including the zoning of land surrounding the site and the land uses on land in proximity to the site. Past uses of the site
5. Description of the proposed activity

Contact Details

Gorge Road, Queenstown
Private Bag 50072, Queenstown

Phone: 03 441 0499
Fax: 03 442 7334
Email: service@qldc.govt.nz

SUMMARY

Have you remembered to?

- Provide a plan or map showing the locality, location of the activity, topographical features, where applicable
- Include the application fee. *Please make all cheques payable to the Queenstown Lakes District Council.*
- Include two sets of plans for which an application is being made (including site and elevation plans). At least one plan to be at either A3 or A4 size.
- Provide an up to date Certificate of Title (no older than three months old) along with any copies of Covenants, Consent Notices or Encumbrances registered on the Certificate of Title.

Signed:

Dated: 26 April 2013

.....

.....

Name: Anderson & Co on behalf of
Marie Eleanor Skeggs

Contact Details

Gorge Road, Queenstown
Private Bag 50072, Queenstown

Phone:

03 441 0499

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SECTION 32 REPORT

PRIVATE PLAN CHANGE

190/192 WANAKA-LUGGATE HIGHWAY

Prepared by

Don Anderson BArch Dip T.P FNZIA MNZPI
of
Anderson & Co
Advising on Planning and Resource Management

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1. Executive Summary

The property owner of 190/192 Wanaka-Luggate Highway has prepared a Private Plan Change to the Operative Queenstown Lakes District Plan for the land described as lot 1 DP 303207 and held in Certificate of Title OT 12730 in the name of Marie Eleanor Skeggs.

The Private Plan Change is located to the east of the recently operative Three Parks zone, to the south of Puzzling World, and to the north of the adjoining Rural Residential zone, (refer to figure 1 below). The site is approximately 400m from the Wanaka commercial centre and has an area of 7.325ha.



Figure 1

The site is zoned Rural General (planning map 18) and contains a substantial single dwelling and an associated private nine hole golf course and extensive planting. There are relatively few land uses that are permitted activities within the Rural General zone, and currently visitor accommodation requires consent as a discretionary activity.

Since 2002, Council has undertaken a major community planning exercise for Wanaka, commencing initially with its Wanaka 2020 programme. That community planning exercise assisted the community and Council in identifying and planning for the future growth of the Wanaka area. Then followed a series of specific Council initiated plan changes, those relevant to the property at 190/192 Wanaka-Luggate Highway being:

- Plan Change 16 Three Parks (operative 19 January 2011) rezoned an area of 100 ha immediately to the west of 190/192 Wanaka-Luggate Highway.
- Plan Change 20 – Wanaka Urban Boundary (October 2009) proposes a Structure Plan Inner Growth Boundary that excludes 190/192 Wanaka-Luggate Highway.

- Plan Change 4 – North Three Parks (July 2010) Proposes rezoning 46.8ha between Three Parks zone and the Wanaka Golf Course.
- Plan Change 32 – Ballantyne Road Mixed Use zone (Operative 16 April 2009) rezoned the redundant oxidation ponds (20ha) to a special zone to allow yard based industries and mixed business/office activities.

In all four plan changes, Council has taken the initiative. Only Plan Change 20 addresses the future use of 190/192 Wanaka-Luggate Highway where the discussion document promotes its exclusion from the Structure Plan Inner Growth Boundary. Both Plan Change 16 and Plan Change 4 have changed the zoning landscape in the area of interest for they have or are intended to infill the previous urban zoning.

Agreement has been reached with Willowridge Developments Ltd for both access to be made available to future roading within that development, as well as for connections to be available to both the public water supply and stormwater/foul water drainage systems. This ensures continuity with the Three Parks zoning and development, and avoids the current reliance on the state highway as the sole point of access.

Marketing research has been undertaken that identified that 190/192 Wanaka-Luggate Highway is uniquely suitable for a comprehensive visitor accommodation development. Its elevation above Three Parks provides vistas out across to Roys Peak and Mt Alpha to the west. Within the site the combination of the 9 hole golf course and the existing significant planting offers an exceptional opportunity to develop a comprehensive visitor accommodation complex.

Using the established method in the District Plan of specifically identifying suitable sites for visitor accommodation, the Private Plan Change seeks to apply the Visitor Accommodation Sub-Zone overlay to the property at 190/192 Wanaka-Luggate Highway. In doing so, a number of particular matters need to be attended to, which is best achieved by reserving control over them via the Controlled Activity status in the Rural General zone. This method is consistent with the method already adopted by Council in respect to both controlled activities in general, and visitor accommodation within the Visitor Accommodation Sub-Zone in particular.

For both reasons, there is a need for an additional policy to be added to Clause 5.2 Objective 1, minimal amendment to the implementation method, a new rule to include visitor accommodation in the Visitor Accommodation Sub-Zone as an additional controlled activity in the Rural General zone, and the exclusion of earthworks approved as part of the controlled activity from the Rural General zone site standard.

This is a simple method of enabling the site at 190/192 Wanaka-Luggate Highway to achieve its development potential.

2. Background

Through the Wanaka 2020 process and the Wanaka Structure Plan process, there has been a need for a comprehensive approach to the planning of the triangle south east of the Wanaka golf course.

This Private Plan Change seeks to provide a further piece to the agreed pattern of development, notwithstanding that to date, the potential of the site at 190/192 Wanaka-Luggate Highway has been largely overlooked.

This is now proposed to be rectified, whereby the site remains zoned Rural General but is included within the Visitor Accommodation Sub-Zone.

- Scope of Private Plan Change

The scope of this Private Plan Change is limited to the inclusion of 190/192 Wanaka-Luggate Highway within the Visitor Accommodation Sub-Zone and relative minor amendments to the Rural General zone policies/methods/ rules.

The land involved is 7.325ha.

The amendments require that visitor accommodation on the site must be established in accordance with conditions that Council imposes in respect to the matters over which control is to be exercised.

Purpose of Private Plan Change

The sole purpose of the Private Plan Change is to enable visitor accommodation at 190/192 Wanaka-Luggate Highway to proceed with certainty subject only to conditions of consent in respect to the specific matters over which control is to be exercised.

3. The Context-Relevant Provisions of the RMA

- The Resource Management Act 1991

Section 74 of the RMA (the Act) states that any Plan Change or Variation to a District Plan must be in accordance with the functions for territorial authorities set out in Section 31, the provisions of Part II, the duties prescribed under Section 32, and any other regulations.

- Section 5

This Plan Change has been prepared as a means of achieving the purpose of the Act, which is expressed in Section 5 as follows:

1. *The purpose of this Act is to promote the sustainable management of natural and physical resources.*

2. *In this Act, “sustainable management” means managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and

(c) avoiding, remedying or mitigating any adverse effects of activities on the environment.

This Private Plan Change is consistent with the purpose of the Act in that by proposing to recognise the particular qualities of the site at 190/192 Wanaka-Luggate Highway, it is managing development in such a way and at a rate that the people and the community can provide for their future social and economic wellbeing. This is achieved by retaining the Operative District Plan zoning (Rural General) and introducing the established method of identifying and applying the Visitor Accommodation Sub-Zone to a specific site that is considered to be especially suitable. In doing so the Private Plan Change enables development that:

- Does not compromise the landscape significant of this remaining part of the Rural General zone. Other landscape priorities now apply to the adjoining land to the west and south, with Puzzling World site having already been extensively developed.
- The agreement with Willowridge Developments Ltd ensures that the site can be easily and cost effectively services in conjunction with the adjoining Three Parks development.
- The agreement with Willowridge Developments Ltd also ensures that adequate alternative access is available.

The Private Plan Change recognises the need for consideration of a number of important urban design principles, and provides for these as matters over which control has been reserved.

- Section 6

Section 6 states:

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and

protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development: (not applicable to this Plan Change).*
- (b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development: (not applicable to this Plan Change)*
- (c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- (d) The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers: (not applicable to this Plan Change)*
- (e) Relationship of Maori and their cultures and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*
- (f) The protection of historic heritage from inappropriate subdivision, use and development.*

Section 6 identifies matters of national importance.

As identified in the earlier Plan Changes, the area within the Structure Plan Inner Growth Boundary is not classified as either an outstanding natural landscape or an outstanding natural feature. While 190/192 Wanaka-Luggate Highway has been shown adjoining the Structure Plan Inner Growth Boundary, there is no evidence that it should be considered any differently from the adjoining properties.

There is no evidence that 190/192 Wanaka-Luggate Highway has any cultural or archaeological significance.

- Section 7

Section 7 lists “other matters” that the Council must have particular regard to. The following sub-sections are of particular relevant to this Plan Change.

- (b) The efficient use and development of natural and physical resources:*
- (c) The maintenance and enhancement of amenity values:*
- (f) Maintenance and enhancement of quality of the environment:*

(g) *Any finite characteristics of natural and physical resources:*

Because of its location adjacent to the inner growth boundary of Wanaka, and the fact that the site is in close proximity to Three Parks, Puzzling World, and the Rural Residential zone, the inclusion of 190/192 Wanaka- Luggate Highway within the Visitor Accommodation Sub-Zone is considered to be an efficient use of natural and physical resources.

The matters which Council reserves control over are considered to adequately address the amenity and landscape values of the site and the surrounding environment can be maintained and improved (when compared with the development rights that currently exist on the site).

Likewise, the Private Plan Change meets S7(f) of the Act by providing a logical addition to the Wanaka town, and ensuring that the development is undertaken in a sympathetic manner so that the quality of the site and surrounding environment is maintained.

- Section 8

Section 8 states that:

“in achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)”.

There are no Treaty principles that will be impacted upon this Private Plan Change.

- Section 31

Section 31 of the Act lists the functions of territorial authorities. In terms of this section, the Council is required to establish, implement and review objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the District.

(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

The analysis of objectives, policies and methods relevant to this Private Plan Change are addressed later in this Section 32 analysis.

- Section 32

Section 32 of the Resource Management Act states that the evaluation of the alternatives, benefits and costs of any plan change must be carried out before it is adopted. The evaluation should examine the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and having regard to their efficiency and effectiveness, whether the policies, rules or other methods are the most appropriate way to achieve the objectives. The Council shall have regard to all options, including the option of no action at all.

Section 32(1) stipulates that, in achieving the purpose of the Act, the local authority must consider alternatives and benefits and costs of adopting any objective, policy, rule or method in the Operative District Plan (ODP). Section 32(2) requires that a further evaluation must also be made by the local authority before making a decision under clause 29(4) of the first schedule.

Section 32(3) provides:

An evaluation must examine-

- (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) *Whether, having regard to their efficiency and effectiveness, the policies, rule or other methods are the most appropriate for achieving the objectives.*

Section 32(4) directs that, for the purpose of this examination, an evaluation must take into account –

- (a) *the benefits and costs of policies, rules or other methods; and*
- (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or methods.*

A report summarising the Section 32 evaluation and giving reasons for the evaluation must be available for public inspection at the same time as the Private Plan Change (to which it relates) is publicly notified.

For a Private Plan Change as that envisaged to be undertaken for this land, the Section 32 report must support the use of the land for visitor accommodation subject to reserved control over specified matters. This provides certainty for both the future development of the land and the quality of that development.

- Section 72

Section 72 states that the purpose of a District Plan is:

The purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.

- Section 73

Section 73 provides for the preparation and change of District Plans. It states that Private Plan Changes must be prepared in accordance with the First Schedule of the Act.

The requirements of the First Schedule of the Act have been met in the preparation and subsequent notification of this Private Plan Change.

- Section 74

This section states:

74 Matters to be considered by territorial authority

(1) *A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, (a direction given under section 25A(2)) its duty under section 32, and any regulations.*

(2) *In addition to the requirements of (section 75(3) and (4)), when preparing or changing a district plan, a territorial authority shall have regard to –*

(a) Any –

(i) Proposed regional policy statement; or

(ii) Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and)

(b) Any -

(i) Management plans and strategies prepared under other Acts; and

(ii) Repealed

(iia) Relevant entry in the Historic Places Register; and

(iii) Regulations relating to ensuring sustainability, or the conservation, management or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing), -

to the extent that their content has a bearing on resource management issues of the district; and

(c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

(2A) A territorial authority, when preparing or changing a district plan, must –

(a) take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district; and

(b) recognise and provide for the management plan for a foreshore and seabed reserve adjoining its district, once the management plan has been lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

(3) In preparing or changing any district plan, a territorial authority must not have regard to trade competition

Through the preparation of this Section 32 report, regard has been given to the following:

- The Regional Policy Statement for Otago
- The QLDC's Long Term Council Community Plan
- Kai Tahu ki Otago Natural Resource Management Plan
- Relevant Non-Statutory Documents including Wanaka 2020 Community Planning Exercise/Wanaka Structure Plan

These documents paint a broad brush picture across the region/district/Upper Clutha. The Private Plan Change in respect to 190/192 Wanaka-Luggate Highway involves much finer detail that sits comfortably within the broader landscape.

4. Consultation

General and specific consultation of relevance to this Private Plan Change is as follows:

- General
 - Wanaka 2020 strategic planning process
 - Wanaka Structure Plan 2004
 - Revised Wanaka Structure Plan 2007
- Specific
 - Agreement reached with Willowridge Development Ltd (2009)
 - Request for Council input (2011)
 - Consultation with statutory bodies including New Zealand Transport Agency (2011)

Both adjoining owners, Mr & Mrs Ken Thomlinson and Ms Heidi Landsborough (Puzzling World) have been consulted, Mr Thomlinson expressed 'interest' in the proposed private plan change. No response from Ms Landsborough or Mr & Mrs Henley was received.

5. Analysis of the relevant Objectives and Policies of the Operative District Plan

- Part 4 of the Partially Operative District Plan

The following section of this report identifies the existing District Wide objectives and policies that have some relevance and require consideration for this Private Plan Change.

- Part 4.1 Natural Environment

Objective 1 – Nature Conservation Values

The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.

Improved opportunity for linkages between the habitat communities.

Policies

- 1.5 *To avoid the establishment of, or ensure the appropriate location, design and management of, introduced vegetation with the potential to spread and naturalise; and to encourage the removal or management of existing vegetation with this potential and prevent its further spread.*

- 1.7 *To avoid any adverse effects of activities on the natural character of the District's environment and on indigenous ecosystems; by ensuring that opportunities are taken to promote the protection of indigenous ecosystems, including at the time of resource consents.*
- 1.11 *Encouraging the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- 1.17 *To encourage the retention and planting of trees, and their appropriate maintenance.*

As the site has been developed for a residential purpose for some considerable time, there is little in the way of indigenous flora or fauna on the site, and the policies related to this objective have limited, if any relevance to the Private Plan Change. However, the existing and future development of the site provides an opportunity through landscaping to provide linkages between habitat communities in the wider area.

- Part 4.2 Landscape and Visual Amenity

Section 4.2.4 Outlines the issues in relation to landscape. Issue (1), General Landscape Issues, notes that

The landscape provides both a backdrop to development as well as the economic base for much activity. Because of the quality of the landscape and the important role it plays in the District's economy it is necessary to ensure that subdivision, development and associated activities are managed to avoid, remedy or mitigate any adverse effects resulting from the pattern of development and the location, siting and appearance of buildings.

The visual effect of subdivision, development and associated activities may be increased when the form and colour of structures contrast with the surroundings and when they are located in visually sensitive areas. The demand for housing and other developments in the rural area is growing and poor location, siting and appearance of these developments threaten to increase the level of inappropriate modification of the rural landscape. The hill and mountain slopes surrounding the lakes assume greater importance because of their role in providing a setting for the lakes. Likewise the views from any roads and public places within the District assume increasing importance as they give visual access to the mountains, lakes and landscapes that, in turn, are integral to the economic wellbeing of the District, and provide a sense of place to both visitors and residents.

The landscape containing 190/192 Wanaka-Luggate Highway was part of the original glacial terraces and the fluvial outwash valley to the south east of this part of this part of the Upper Clutha district, with Mt Iron dominating the area. It has been described in earlier Plan Changes and accepted as being appropriate

for inclusion within the Structure Plan Outer Growth Boundary. The terrace containing 190/192 Wanaka-Luggate Highway has been excluded from the Structure Plan Inner Growth Boundary in part only, with only the Puzzling World site and 190/192 Wanaka-Luggate Highway on the western side of the state highway being retained in the Rural General zone.

- Objective 4.2.5 provides the following objective

“Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values”

Which is given effect to be the following policy

6 *Urban Development*

- (b) *To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.*

This policy reinforces the need to protect the existing visual amenity values of the area within which the site is located. The proposed Private Plan Change will achieve this.

7 *Urban Edges*

To identify clearly the edges of:

- (a) *Existing urban areas*
- (b) *Any extensions to them; and*
- (c) *Any new urban areas*

by design solutions and to avoid sprawling development along the roads of the district

The Amended 2007 Wanaka Structure Plan and the Wanaka 2020 Community Plan are strategic community documents that have been adopted by Council. Both have identified areas within Wanaka and its surrounds that can absorb the future growth of Wanaka. 190/192 Wanaka-Luggate Highway adjoins the Structure Plan Inner Growth Boundary and is within the Structure Plan Outer Growth Boundary. The Private Plan Change is consistent with the underlying intention of Council’s policy for the Wanaka urban area.

17 *Land Use*

To encourage land use in a manner which minimises adverse on the open character and visual coherence of the landscape.

The topography of the site provides the potential for development to be absorbed without creating significant adverse effects. Appropriate landscaping is part of the matters that Council has reserved control over.

- Part 5 of the Operative District Plan

Objective 1 – Character and Landscape Value

To protect the character and landscape value of the rural area by promoting sustainable management of natural and physical resources and the control of adverse effects caused through inappropriate activities

Policy 1.4 provides

Ensure activities not based on the rural resources of the area occur only where the character of the rural area will not be adversely impacted.

The Private Plan Change for 190/192 Wanaka-Luggate Highway is consistent with both the objective and the policy that implements that objective. The method proposed by the Private Plan Change enables the control over the adverse effects that could otherwise arise. 190/192 Wanaka-Luggate Highway has not been used for a farming purpose since the sale of the adjoining land that is now part of the Three Parks zone.

Objective 3 – Rural Amenity

Avoiding, remedying or mitigating adverse effects of activities on rural amenity.

Policy 3.2 provides

Ensure a wide range of rural land uses and land management practices can be undertaken in the rural area without increased potential for the loss of rural amenity values.

The Private Plan Change adopts the existing method already used by the District Plan that identifies land that is considered particularly suitable for visitor accommodation subject to Council control over identified effects. This promotes consistency within the District Plan provisions.

Alternatives to the Private Plan Change

Option 1 – Do nothing

Introduction

This option involves relying on the permitted activities in the Rural General zone to determine the “as of right” land uses, or the fully discretionary activity of visitor

accommodation, and taking no further action. This undermines confidence in the development potential of the site at 190/192 Wanaka-Luggate Highway for Visitor Accommodation.

Effectiveness

This option is considered to be ineffective in achieving the objective for enabling the site at 190/192 Wanaka-Luggate Highway to achieve its development potential. At 7.325ha in area, the site has significant potential but there needs to be greater certainty than a fully discretionary activity can give.

Costs

There is significant costs in putting together a development package for the site. This is only justified if there is greater certainty than currently provided by the provisions in the Rural General zone.

Benefits

At present, the site is the preserve of only its owners. The benefits of the Private Plan Change are divided between the owners, in respect to promoting its future development, and the community in respect to encouraging further visitor accommodation in a suitable location and on a suitable site.

Being a Private Plan Change, Council will not be incurring cost involved in processing the request.

Option 2 – Rezoning the site

Introduction

This option involves changing the zoning of the site from Rural General to Special Zoning.

Effectiveness

This option is considered ineffective in achieving the objective for enabling the site to achieve its development potential. Site specific zoning is not a method currently adopted by the District Plan and it involves much wider considerations as to the management of all future uses of the site.

Costs

There are significant costs in putting together a comprehensive new zoning for the site, with all the attendant significant resource management issues, objectives, methods (including rules) and the anticipated environmental results. These costs are avoided by the relatively simple Private Plan Change requested.

Benefits

Simplicity is the hallmark of achieving the purpose of the Act. Rezoning the site would not achieve that objective.

Option 3 – Include to site in the Visitor Accommodation Sub-Zone

Introduction

This objectives involves including the site in an existing Sub-Zone.

Effectiveness

This option is considered the most effective in achieving the objective of enabling the site to achieve its development potential. It adopts an existing method in the District Plan, is simple, and does not compromise the existing provisions for other land uses in the Rural General zone.

Costs

There are no significant costs involved, for this option is not introducing any new provisions in the District Plan. It has no direct effects on any other land.

Benefits

By specifying the matters the Council reserves control over, the Private Plan Change has demonstrated benefits for the community. There are private benefits from making visitor accommodation a controlled activity which enables the specific environmental issues to be adequately addressed.

Conclusion

Following the assessment of the various alternatives, the Private Plan Change is concluded to be the most effective, efficient and appropriate. It enables the future development of visitor accommodation to address the relevant environmental issues, confident that consent will be granted.

26 April 2013

- Detail of Surrounding Sites

To the west - Puzzling World/Rural General zone

To the south - Three Parks Development/Three Parks zone

To the east - Dwellings/Rural Residential zone

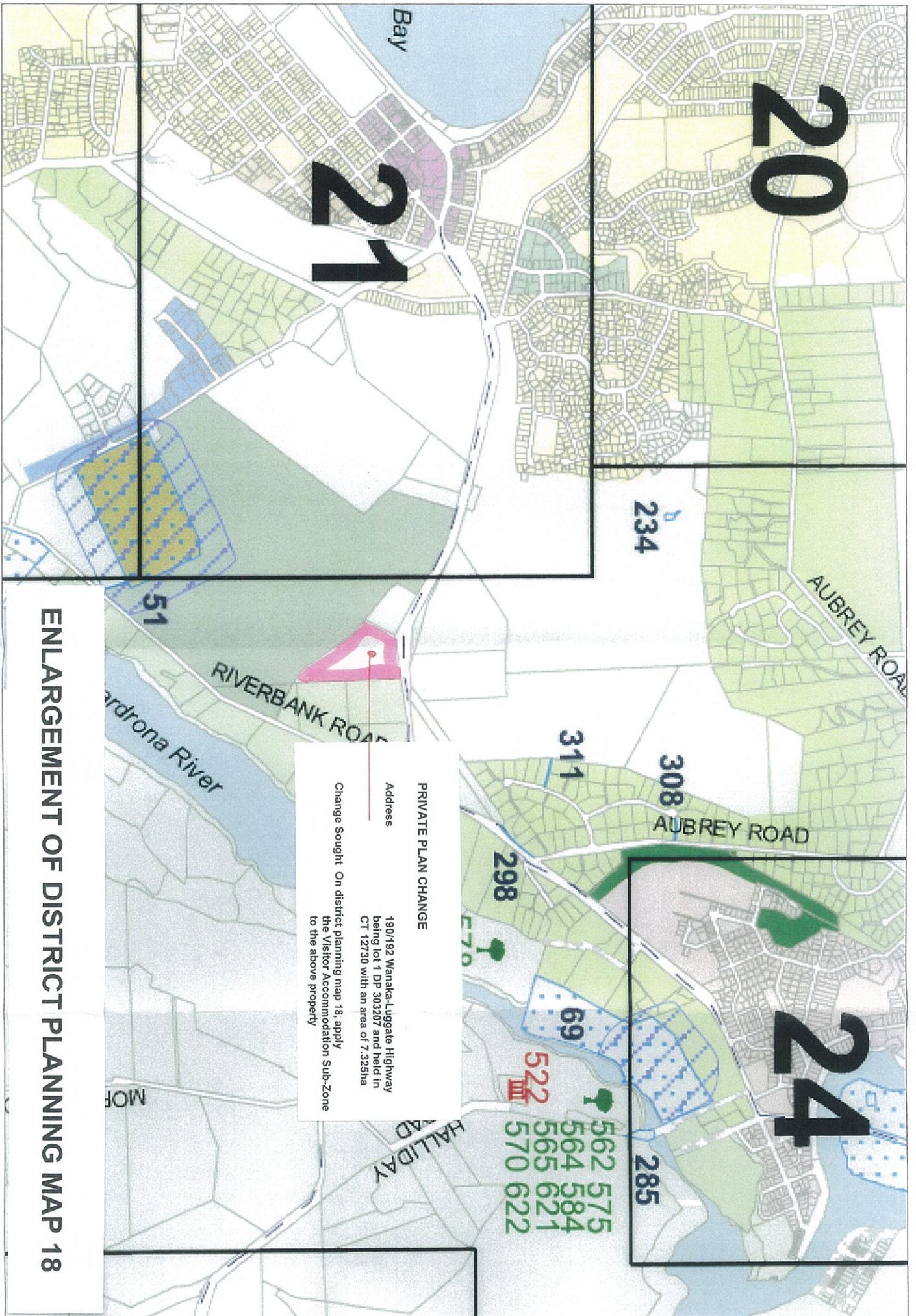
To the north - Wanaka-Luggate Highway/then Rural General zone

190/192 Wanaka-Luggate Highway was formally part of the Skeggs farm which included a private air strip

- Description of the Proposed Activity

The private plan change will enable 190/192 Wanaka-Luggate Highway to apply for a Visitor Accommodation activity as a controlled activity. The consent authority will be able to consider the specific matters over which control has been reserved and impose conditions of consent accordingly.

The private plan change does not propose any other specific activity.



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234

311

308

298

69

522
562 575
564 584
565 621
570 622

285

Bay

AUBREY ROAD

AUBREY ROAD

RIVERBANK ROAD

Ardrona River

HALLIDAY ROAD

MOR

PRIVATE PLAN CHANGE

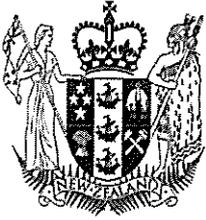
Address

190/192 Wanaka-Luggate Highway
being lot 1 DP 303207 and held in
CT 12730 with an area of 7.325ha

Change Sought: On district planning map 18, apply
the Visitor Accommodation Sub-Zone
to the above property

ENLARGEMENT OF DISTRICT PLANNING MAP 18

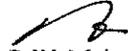
51



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier **12730**
Land Registration District **Otago**
Date Issued 11 December 2001

Prior References
18546

Estate Fee Simple
Area 7.3250 hectares more or less
Legal Description Lot 1 Deposited Plan 303207

Proprietors
Marie Eleanor Skeggs

Interests

501771 Gazette Notice declaring State Highway No. 89 (Queenstown - Wanaka) fronting the within land to be a Limited Access Road - 17.8.1978 at 1.41 pm
594587 Compensation Certificate pursuant to Section 19 Public Works Act 1981 - 12.5.1985 at 1.40 pm
Appurtenant hereto is a right to occupy for bore & pump and a right to convey water specified in Easement Certificate 5112262.5 -produced 20.11.2001 at 1:13 pm and entered 11.12.2001 at 9.00 am
The easements specified in Easement Certificate 5112262.5 are subject to Section 243 (a) Resource Management Act 1991

